

09/06/02

FACT SHEET

AMENDMENTS TO FINAL AIR TOXICS RULE FOR PESTICIDE ACTIVE INGREDIENT PRODUCTION

TODAY'S ACTION

- The Environmental Protection Agency (EPA) is finalizing amendments to its rule to reduce toxic air emissions from pesticide active ingredient (PAI) production. These amendments address issues raised by the industry and include additional corrections and clarifications to ensure that the rule is implemented as intended. Some of the amendments provide new compliance options that would reduce the burden associated with demonstrating compliance.
- Toxic air pollutants, also known as air toxics, are those pollutants known, or suspected, to cause cancer and other serious health problems. Air toxics are emitted during the PAI manufacturing process, which consists mainly of chemical operations used to produce insecticide, herbicide, and fungicide pesticide products. These products are typically used in the agricultural industry for controlling insects, rodents, nematodes, fungi, weeds, or any other forms of life considered to be pests.

BACKGROUND

- Under the Clean Air Act, EPA is required to regulate emissions of 188 listed toxic air pollutants. The Act also requires EPA to identify industrial or “source” categories that emit one or more of these toxic air pollutants. For categories of “major” sources (those that emit 10 tons per year or more of a listed pollutant or 25 tons per year or more of a combination of pollutants), the Clean Air Act requires EPA to develop standards that require the application of stringent air pollution reduction measures known as maximum achievable control technology.
- EPA’s published list of industry groups to be regulated (known as source categories) includes PAI production operations.
- EPA issued the final air toxics rule for PAI production in June 1999. Several petitioners, including the American Crop Protection Association (ACPA) and BASF Corporation, filed petitions for judicial review of the rule.
- The proposed amendments were published on April 10, 2002. EPA received only two comments, none significant, so the final amendments are typographical and clarification

corrections.

- PAI manufacturing operations covered by the air toxics rule are primarily chemical synthesis processes. The major air toxics to be controlled include methyl chloride, methanol, toluene, and hydrogen chloride. These pollutants can cause reversible or irreversible toxic effects following exposure.

WHAT THE AMENDMENTS WOULD DO

- Today's action is in response to issues raised by two petitioners – ACPA and BASF Corporation. The petitioners requested clarification of several provisions, including new source applicability; the concept of process unit groups; pollution prevention; and the startup, shutdown, and malfunction requirements.

FOR MORE INFORMATION

- For further information about the action, contact Randy McDonald of EPA's Office of Air Quality Planning and Standards at (919) 541-5402.
- EPA's Office of Air and Radiation's home page on the Internet contains a wide range of information on the air toxics program, as well as many other air pollution programs and issues. The Office of Air and Radiation's home page address is: <http://www.epa.gov/oar/>.